THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 5115 of 2004

Dated: 14-09-2005

Between:

K.Durga Prasad Rao and another

..... PETITIONERS

AND

The Commissioner of Police, Vijayawada and

four others.

.....RESPONDENTS

O R D E R:

This writ petition is filed seeking to declare the action of the respondents 1 and 2 in not registering the case and not taking action against the respondents 4 and 5 as illegal and arbitrary, and consequently to direct the respondents 1 and 2 to protect the possession of the petitioners' in respect of the leased land situated in R.S.No.190 of Devarapally village, Thotlavalluru Mandal, Krishna District.

In the application, dated 07-08-2003, the petitioners having made certain allegations against respondents 4 and 5 sought for protection to enable them to carry on the agricultural operations. The grievance of the petitioners is that respondents 1 to 3 failed to consider their request.

In pursuance of the rule nisi ordered, the respondents 1and 2 filed a counter-affidavit stating that the petitioners gave a complaint dated 07-08-2003 which was endorsed to the Inspector of Police, Vuyyuru Circule for taking necessary action. Thereafter, the Inspect of Police having examined the allegations made in the complaint found that the dispute is purely civil in nature and advised both the parties to approach the competent Court for their grievance, if any. It is also categorically stated that there were certain disputes between the petitioners and the respondents 4 and 5, which are purely civil in nature. Hence, the

alleged inaction on the part of the respondents 1 and 2 is incorrect.

Having regard to the unrebutted averments of the respondents 1 and 2 in their counter-affidavit stating that they have already enquired into the matter based on the representation made by the petitioners, no further adjudication is necessary in the writ petition.

Accordingly, the writ petition is closed. No costs.

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G.ROHINI,J

Dated: 14-09-2005

klp/ghn